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Attorneys for Plaintiff and the Proposed Class

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

DAVID RASMUSSEN, an individual, on behalf
 of himself and all others similarly situated,

Plaintiff,

v.

TESLA, INC. d/b/a TESLA MOTORS, INC., a
 Delaware corporation,

Defendant.

Case No. 5:19-cv-04596-BLF

**PLAINTIFF'S NOTICE OF NON-
 OPPOSITION TO PLAINTIFF'S
 MOTION FOR PRELIMINARY
 APPROVAL OF CLASS
 SETTLEMENT AND DIRECTION OF
 NOTICE**

Date: December 9, 2021
 Time: 9:00 a.m.
 Judge: Hon. Beth Labson Freeman
 Courtroom: 3

On July 28, 2021, Plaintiff David Rasmussen ("Plaintiff") filed a Motion for Preliminary Approval of Class Settlement and Direction of Notice Under Rule 23(e) (the "Preliminary Approval Motion"). See ECF No. 49. Hearing on the Preliminary Approval Motion is scheduled for Thursday, December 9, 2021 at 9:00 a.m.

Pursuant to Civil Local Rule 7-3(a), any opposition to the Preliminary Approval Motion was due on or before Wednesday, August 11, 2021. Plaintiff hereby notifies the Court that no party or non-party has filed a brief or other document objecting to or opposing the Preliminary


1 Approval Motion. Plaintiff also is unaware of any person or entity that has applied for permission
2 to appear before the Court at the scheduled hearing on the Preliminary Approval Motion.

3 Accordingly, Plaintiff respectfully requests that the December 9, 2021 hearing be vacated
4 and the Preliminary Approval Motion be decided on the papers; or, in the alternative, that the
5 hearing be rescheduled to an earlier date. Defendant Tesla, Inc. does not oppose this request.

6
7 Dated: September 20, 2021

Respectfully submitted,

8 LIEFF CABRASER HEIMANN & BERNSTEIN, LLP

9 By: 
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